IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE FOURTEENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO: 16293 of 1997

Between:

M/s.Khoday India Ltd.,
54,K.K.Agrahara,Banglore By its Authorised Signatory,Rupnarayan Agrawalla
S/o.Purnamal Agrawalla age-32,R/o.Bangalore.

... PETITIONER

AND

1 The Government of A.P Rep.by its Secretary,Revenue (Excise) Dept., Secretariat Buildings Hyderabad.
2 The Commissioner of Prohibition and Excise
A.P., Opp.Gandhi Bhavan,
Hyderabad.
3 The Sub-Divisional Prohibition and Excise Officer
Parvathipuram, Vizianagaram District.
4 The Sub-Divisional Prohibition and Excise Officer,
Chodavaram, Visakhapatnam District.
5 The Ssub-Divisional Prohibitin and Excise Officer,
Narsipura, Visakhapatnam District.
6 The Sub-Divisional Prohibitin and Excise Officer,
Rajahmundry, E.G.District.
7 The Sub-Divisional Prohibition & Excise Officer,
Nuziveedu, Krishna District.
8 The Sub-Divisional Prohibition & Excise Officer,
Machilipatnam, Krishna District.
9 The Sub-Divisional Prohibition & Excise Officer,
Kovvur, W.G.District.
10 The Sub-Divisional Prohibition & Excise Officer,
Tenali, Guntur district.

11 The Sub-Divisional Prohibition & Excise Officer,
Nellore, Nellore District.
12 The Sub-Divisional Prohibition & Excise Officer,
Chittoor, Chittoor District.
13 The Sub-Divisional Prohibition & Excise Officer,
Tirupathi, Chittoor district.
14 The Sub-Divisional Prohibition & Excise Officer,
Madanapalli, Chittoor District.
15 The Sub-Divisional Prohibition & Excise Officer,
Bodhan, Nizamabad District.
16 The Sub-Divisional Prohibition & Excise Officer,
Khammam, Khammam District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate Writ, Order or Direction more particularly one in the nature of Writ of Mandamus, declaring that the G.O.Ms.No.644, Revenue (E) Dept dated 15-6-1976, declaring and demanding the Administrative charges @ Rs.25 per metric tonne should be collected on Molasses exported from out of A.P is arbitrary, illegal and without jurisdiction and unenforceable and the insisting on taking on escort with each tanker lorry transporting Molasses for the purpose or export and the insistence on the payment of charges for such export is illegal and without jurisdiction, apart from being violative of Article 19(1)(g) of the Constitution of India.

Counsel for the Petitioner: MR.E.MARUTHI RAJA (Not present)

Counsel for the Respondents: GP FOR PROHIBITION & EXCISE

The Court made the following:

ORDER:

The petitioner filed the present writ petition seeking Mandamus declaring that the G.O.Ms.No.644, Revenue (E) Department, dated 15-06-1976 and demanding the administrative charges @ Rs.25/- per metric tonne should be collected on Molasses exported from out of Andhra Pradesh as arbitrary and illegal.

2. When the matter is taken up today, none appears for the petitioner. Learned Government Pleader appearing for the respondents submits that the relief sought by the petitioner in the writ petition, by lapse of time, has become infructuous.

Recording the said submission, the writ petition is dismissed as having become infructuous. No order as to costs.

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N.V. RAMANA, J

March 14, 2005

MRR

Copy to:

1 The Secretary, Revenue (Excise) Department, Government of A.P., Secretariat Buildings, Hyderabad.
2 The Commissioner of Prohibition and Excise A.P., Opp.Gandhi Bhavan, Hyderabad.
3 The Sub-Divisional Prohibition and Excise Officer Parvathipuram, Vizianagaram District.
4 The Sub-Divisional Prohibition and Excise Officer, Chodavaram, Visakhapatnam District.
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15 The Sub-Divisional Prohibition & Excise Officer,

Bodhan, Nizamabad District.

16 The Sub-Divisional Prohibition & Excise Officer,
Khammam, Khammam District.

17. 2 CCs to G.P. for Prohibition and Excise, High Court Buildings, Hyderabad. (OUT)

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